

03-08-07

IFW



CERTIFICATE OF "EXPRESS MAILING"

"EXPRESS MAIL" Mailing Label Number: EV 606911253 US

Deposited: March 7, 2007

I hereby certify that this and the enclosed paper(s) and/or fee(s) is/are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

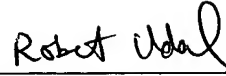
Appl. No. : 10/608,520
Applicant : Matthias Gerlach et al.
Filed : June 27, 2003
Title : Aryl-and Heteroarylcarbonyliperazines and Their Use for the
Treatment of Benign and Malignant Oncoses
TC/A.U. : 1623
Examiner : Paul V. Ward
Atty. Docket No. : 103832-506-NP

Dear Sir or Madam:

Submitted herewith are the following items:

1. This Certificate of Express Mailing (2 pages);
2. Information Disclosure (3 pages);
3. IDS form PTO/SB/08 in duplicate (2 pages);
4. **Exhibit 1** (EP 0496692) (8 pages);
5. **Exhibit 2** (EP 1006110) (43 pages);
6. **Exhibit 3** (WO 2001/44201) (87 pages);
7. **Exhibit 4** (WO 1998/06715) (45 pages);
8. **Exhibit 4** (Taiwan IPO Search Report) (2 pages); and
9. Return Receipt Postcard.

TOTAL PAGES IN THIS SUBMISSION: 192 + postcard



Robert P. Udal (Reg. No. 56,608)



CERTIFICATE OF TRANSMISSION

"EXPRESS MAIL" Mailing Label Number: EV 606911253 US

Deposited: March 7, 2007

I hereby certify that this and the enclosed paper(s) and/or fee(s) is/are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Robert P. Udall
Robert P. Udall

3/7/2007
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/608,520
Applicant : Matthias Gerlach et al.
Filed : June 27, 2003
Title : Aryl-and Heteroarylcarbonyliperazines and Their Use for the
Treatment of Benign and Malignant Oncoses
TC/A.U. : 1623
Examiner : Paul V. Ward
Atty. Docket No. : 103832-506-NP
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

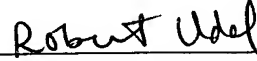
Under the provisions of 37 C.F.R. § 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the following disclosures, which are cited by the Taiwan Intellectual Property Office ("Taiwan IPO") Search Report in the Taiwan counterpart Invention Patent application No. 092117270. The cited disclosures, listed below as items 1-13. Items 1-5 and 9-11 are U.S. patents and published applications and are listed in the attached form PTO/SB/08 as such. Items 6-7 and 12-13 are attached hereto as **Exhibits 1-5**, respectively.

1. US patent No. 5011928 issued April 30, 1991;
2. US patent No. 5489593 issued February 06, 1996;
3. US patent No. 3466287 issued September 09, 1969;
4. US patent No. 6166203 issued December 26, 2000;
5. US patent No. 4374990 issued February 22, 1983;
6. EP publication No. 0496692, published July 29, 1992 (**Exhibit 1**);
7. EP publication No. 1006110 A1, published June 07, 2000 (**Exhibit 2**);
8. PCT publication No. WO 2001/44201 A1, published June 21, 2001 (**Exhibit 3**);
9. PCT publication No. WO 2002/08190A2, published January 31, 2002 and corresponding to US 2002/111354 A1;
10. PCT publication No. WO 2002/08194A1, published January 31, 2002 and corresponding to US 2002/132821 A1;
11. PCT publication No. WO 2002/08192A1, published January 31, 2002 and corresponding to US 2002/103214 A1;
12. PCT publication No. WO 1998/06715 A1, published February 19, 1998 (**Exhibit 4**); and
13. Taiwan IPO Search Report (**Exhibit 5**).

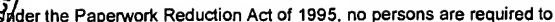
A copy of the Taiwan IPO is hereto attached as **Exhibit 5**. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form and return a copy to Applicants.

This IDS is being filed before the mailing of a first Office Action on the merits and therefore no fee is with this submission. However, the Commissioner is authorized to charge any required fees or credit any overpayments to Deposit Account 06-0923.

Respectfully submitted,



Robert P. Udal (Reg. No. 56,608)
Goodwin Procter LLP
599 Lexington Ave
New York, NY 10022
(212) 813-8840



Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	10/608,520
Filing Date	June 27, 2003
First Named Inventor	Matthias Gerlach et al.
Art Unit	1623
Examiner Name	Paul V. Ward
Attorney Docket Number	103832-506-NP

Sheet	1	of	1
-------	---	----	---

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)	MM-DD-YYYY			
		EP 1006110 A1	06-07-2000	ESTEVE LABOR DR		
		EP 0496692 A1	07-29-1992	ESPANOLA PROD QUIMICC		
		WO 98/06715 A1	02-19-1998	ADAMS JERRY LEROY		
		WO 01/44201 A1	06-21-2001	STAMFORD ANDREW W		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.